

PATENT APPLICATION
Atty. Ref. No. 050185

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

3/29/07
Date
Buchanan Ingersoll & Rooney PC
Buchanan Ingersoll & Rooney PC



1643

Box 500

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Uwe Karsten
Filed : June 29, 2000
Application No. : 09/606,910
Group Art Unit : 1643
Confirmation No. : 7839
Examiner : Rawlings, Stephen L.
Title : Tumor Vaccines for MUC1-Positive Carcinomas

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE TO COMPLY

Sir:

In response to the Notice to Comply with Sequence Requirements mailed on March 12, 2007, the following items are enclosed:

1. A paper copy of the sequence listing;
2. A copy of the sequence listing on diskette;

3. A statement that the paper copy and electronic copy of the sequence listing are identical.

Please amend the application to replace the current sequence listing with the sequence listing that is enclosed. This sequence listing includes no new matter.

Finally, under cover of letter mailed March 12, 2007, the Applicants received the attached Notice of Non-Compliant Amendment under 37 CFR 1.121. The Notice is directed to a response allegedly filed on February 28, 2007. Applicants note that the handwritten application number on this paper is 10/496,059. Applicants therefore believe that this paper was misdirected and that no response is necessary. If Applicants are mistaken, then prompt notification is requested.

This paper is believed timely without the need for an extension of time. If an extension of time is necessary to make the paper timely, kindly grant an extension of time and deduct the fee for same from Deposit Account No. 02-4800 in the name of Buchanan Ingersoll PC.

Entry of this amendment as well as prompt and favorable reconsideration of the pending claims are requested.

Respectfully submitted,



Dated: March 29, 2007

Duane A. Stewart III
Registration No. 54,468
BUCHANAN INGERSOLL & ROONEY PC
One Oxford Centre
301 Grant Street
Pittsburgh, Pennsylvania 15219
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**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/496059

Applicant(s)

Examiner

Art Unit

1645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 2-28-07 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.



For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

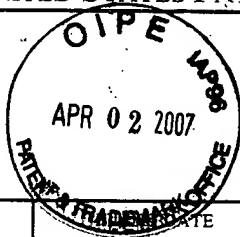
Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE)

Telephone No.



UNITED STATES PATENT AND TRADEMARK OFFICE



0051651-000005

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/606,910

06/29/2000

Uwe Karsten

0107-027P

7839

23464

7590

03/12/2007

BUCHANAN INGERSOLL & ROONEY PC

P.O. BOX 1404

ALEXANDRIA, VA 22313-1404

EXAMINER

RAWLINGS, STEPHEN L

ART UNIT

PAPER NUMBER

1643

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

URGENT

050185

DAB / KMR

BUCHANAN INGERSOLL & ROONEY PC

MAR 13 2007

DOCKETED

CRS

Response Non Compliance
due 4/12/07